

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD Department - Allegations of corruption against Sri B.Nagakristaiah, Panchayat Secretary, Terannapalli GP, Tadipatri (M), Anantapur District – Trapped by the ACB officials on 19.07.2006 – Prosecuted in court of law – Acquitted by the Addl. Spl.Judge for SPE & ACB cases, Hyd., – Further action dropped duly treating the suspension period as not on duty – OA filed before Hon’ble APAT – Judgment pronounced – Regularization of suspension period as “on duty” as per the provisions of FR 54(B)(3) and (4) – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.III)DEPARTMENT

G.O.Rt.No. 579

Dated:15 .04.2014.

Read the following:-

- 1.Procgs.Roc.No.1404/06/A1(pts), dt.22.07.06 of the District Collector, Anantapur.
- 2.Procgs.No.1404/2006-A1 (Pts), dt.11.6.2007 of the District Collector, Anantapur.
- 3.Procgs.Roc.No.1404/06-A6(Pts), dt.1.7.2009 of the District Collector, Anantapur.
- 4.From the Addl. Spl.Judge for SPE&ACB Cases, Hyd., judgment dated.21.1.2010 in CC No.34 of 2007.
- 5.G.O.Rt.No.1127, PR&RD(Vig.III) Deptt., dt.31.7.2010.
- 6.Procgs.Roc.No.1404/06-A6(Pts), dt.21.3.11 of the District Collector, Anantapur.
- 7.From the Hon’ble APAT judgment dt.22.10.13 in O.A.No.9424/2011.

ORDER:

In the ref.1st read above, the District Collector, Anantapur has issued orders placing Sri B.Nagakristaiah, Panchayat Secretary, Terannapalli GP, Tadipatri (M), Anantapur District under suspension on the allegation of demand and acceptance of bribe from the complainant for doing official favour. In the ref.2nd read above, sanction was accorded for prosecution of Sri B.Nagakristaiah, former Panchayat Secretary, in a Court of Law. The suspension of individual was reviewed from time to time and in the ref.3rd read above, orders were issued reinstating Sri B.Nagakristaiah, former Panchayat Secretary, into service pending finalization of criminal proceedings.

2. In the ref.4th read above, the Additional Special Judge for SPE&ACB Cases, Hyderabad in CC No.34 of 2007 pronounced the judgment dt.21.1.2010 and opined that prosecution has failed to establish the guilty of Accused Officer Sri B.Nagakristaiah, former Panchayat Secretary beyond all reasonable doubt for the alleged charge u/s 7 & 13 (1)(d) r/w Sec.13(2) of PC Act, 1988 and accordingly he is acquitted under section 248(1) of Cr.P.C.

3. In the ref.5th and 6th read above, Government have dropped further action against the Accused Officer Sri B.Nagakristaiah, former Panchayat Secretary, Terannapalli GP, Tadipatri (M), Anantapur District and regularized the suspension period as not on duty.

4. In the ref.7th read above, the Accused Officer has filed an appeal before Hon’ble Andhra Pradesh Administrative Tribunal Hyderabad in OA No.9424/11. The Hon’ble Andhra Pradesh Administrative Tribunal in its judgment dt.22.10.2013, has pronounced is as follows:

“In the result the OA is allowed. The impugned proceedings issued in Rc.No.1404/2006/A6(Pts.), dated.21.03.2011 by the 1st respondent to the extent of treating the period of suspension as eligible leave is set-aside. The respondents are directed to treat the period of suspension as on duty and pay the full pay and allowances to the applicant with all consequential benefits”.

(P.T.O)

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5. Government after careful examination of the above judgment of the Hon'ble Andhra Pradesh Administrative Tribunal and having the circumstances of the case, have decided and accordingly, hereby order that the suspension period of Sri B.Nagakristaiah, former Panchayat Secretary, Terannapalli Gram Panchayat, Tadipatri (M), Anantapur District shall be treated as "on duty" as per the provisions of FR 54(B)(3)&(4).

6. The Commissioner Panchayat Raj & Rural Employment Hyderabad/District Collector, Anantapur shall take further action in the matter accordingly, duly verifying the actual dates of suspension and reinstatement.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S. JAWAHAR REDDY
SECRETARY TO GOVERNMENT (PR)

To

Sri B.Nagakristaiah, former Pt.Secy., Terannapalli GP, Tadipatri (M), Anantapur District
through the District Collector, Anantapur.

The Commissioner Panchayat Raj & Rural Employment Hyderabad.

The District Collector, Anantapur.

Copy to:

The District Audit Officer, State Audit, Anantapur.

The District Treasury Officer, Anantapur.

The Government Pleader for Panchayat Raj, Andhra Pradesh Administrative Tribunal,
Hyderabad.

SF/SC.

//FORWARDED:::BY ORDER//

SECTION OFFICER